

Statutory OOHC designated agency recordkeeping Factsheet

Key facts you need to know about Out-Of-Home-Care (OOHC) recordkeeping under Section 170 of the Children and Young Persons (Care and Protection) Act 1998.

What records are we referring to?

We are referring to paper and digital records about the placement of children and young people in OOHC. These records:

- capture the development, history and identity of children, young people and their carers, and
- provide evidence of the services and activities carried out by service providers for the case management of children and young people in their care.

They do not include records related to the governance, management or operation of your organisation.

What are the recordkeeping requirements for your organisation?

As specified under Section 170, your organisation must keep the records of each child and young person for 7 years after they have left care. At the end of the 7 year period, you must deliver the records to the Department of Family and Community Services (FACS). You must also deliver your records to FACS if your organisation closes or ceases to be funded by FACS.

What happens to a child or young person's records if they are moved to the care of another organisation?

Your organisation is still required to retain the records related to the child or young person, even if they are transferred to FACS or another service provider. You are also required to follow the FACS guidelines for case management transfer, which explains what documents and information is required to be transferred to FACS, or the service provider taking over responsibility for the child or young person.

Can FACS receive paper and digital records?


You can send FACS both paper and digital records. Any additional information should also be included, like emails, letters, photographs, documents, plans and reports, and information in databases and information systems.

Who pays for the costs involved with recordkeeping and delivering records to FACS?

Your organisation is responsible for meeting all costs associated with establishing, maintaining and retaining records, and for costs associated with preparing and delivering the records to FACS. Any costs involved may be covered by FACS funding provided to your organisation.

What are the obligations of FACS?

FACS retains all inactive physical and digital records related to the placement of children and young people. The records are not destroyed. Following delivery to FACS, all records are stored at the Government Records.

 **For further information visit** www.community.nsw.gov.au/for-agencies-that-work-with-us/our-funding-programs/permanency-support-program/legislation-policy-and-guidance-relevant-to-the-permanency-support-program/statutory-out-of-home-care-agency-recordkeeping. You will also find a number of resources including fact sheets related to digital recordkeeping, record transfers and frequently asked questions.